

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 23246 of 2004

Between:

1. Andhra pradesh State Road Transport corporation

Empleyes Union, Regd. No.215/1952,

Represented by its Organizing Secretary,

Kovvur Depot Union K.Jawahardas,

S/o. Swaminadham, aged 40 years,

Conductor, Staff No.501306,

R/o. H.No.4-1-2, Ubavari Street,

Kovvur, West Godavari District-534 350.

2. M.Padmanabha Rao, S/o. M.Parameshwar Rao,

Aged 49 years, conductor, Staff No.81824,

R/o. H.No.4-1-2, Ubavari Street,

Kovvur, West Godavari District-534 350.

..... PETITIONERS

AND

1. Andhra Pradesh State Road Transport Corporation

Represented by its vice Chairman & Managing Director,

Musheerabad, Hyderabad.

2. The Regional Manager,

Andhra Pradesh State Road Transport Corporation,

West Godavari Region, Eluru,

West Godavari District.

3. The Divisional Manager,

Andhra Pradesh State Road Transport Corporation,

Tanuku Division, Tanuku,

West Godavari District.

4. The Depot Manager,

Andhra Pradesh State Road Transport Corporation,

Kovvur Depot, Kovvur, West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or writ more particularly one in the nature of Writ of Mandamus or any other appropriate writ declaring (i) the notice dated 7-12-2004 allocating the fixed duty chart for Drivers and Conductors, Kovvur Depot with effect from

15-12-2004 is in contravention to the circular instructions No.T3/287 (10)/96-OPD-T, Dated 3-9-2001; (ii) declare the action of the respondents in not fixing the duties to the senior/selected Conductors on the principle of seniority-cum-option basis is illegal and arbitrary; and consequently direct the respondents to allocate the fixed duty chart to senior/selected grade Conductors and other Conductors on the principle of Seniority-cum-option basis and pass such other order or orders as this Hon'ble court may deem fit and proper in the interest of justice.

Counsel for the Petitioner: MR.G.VIDYASAGAR

Counsel for the Respondents: MR.R.MANMADHA REDDY (SC FOR APSRTC)

The Court at the admission stage, made the following :

THE HON'BLE MR JUSTICE K.C.BHANU

WRIT PETITION NO: 23246 of 2004

ORDER:

Heard the learned counsel for the petitioners and the learned standing counsel for the respondents.

2. The only grievance of the petitioners is that the respondents have not been following the Circular instructions No.T3/287 (10)/96-OPD-T, dated 03-09-2001 in allocating the fixed duty chart for Drivers and Conductors, Kovvur Depot.

3. The learned standing counsel for the respondents, on instructions, contended that the respondents have been following the Circular instructions dated 03-09-2001 and in accordance with the same, the impugned notice dated 07-12-2004 was issued by the 4th respondent.

4. Recording the same, the writ petition is disposed of. There shall be no order as to costs.

_____ December
27, 2004

Kvr

TO

1. Andhra Pradesh State Road Transport Corporation

Represented by its vice Chairman & Managing Director,
Musheerabad, Hyderabad.

2. The Regional Manager,

Andhra Pradesh State Road Transport Corporation,

West Godavari Region, Eluru,
West Godavari District.

3. The Divisional Manager,

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Tanuku Division, Tanuku,
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Kovvur Depot, Kovvur, West Godavari District.

5. Two C.D. Copies.